

REMARKS

The outstanding Official Action and cited art have been considered. Claims 71 to 95 are not treated in the Official Action. Consideration of these claims is requested.

The examiner's objection to claim 1 is noted. The suggested correction has been made to overcome the objection. The examiner's careful review of the claims is appreciated.

Claims 26 and 44 have been amended so as to clearly recite patentable subject matter in referring to "a computer usable medium having computer readable code thereon." This is in conformity with M.P.E.P. § 2106. The rejection for lack of patentable subject matter under et U.S.C. § 101 is believed overcome.

The rejection of claims 1 - 34, 44 - 47 and 52 - 70 as anticipated by the Gardos et al. patent No. 6,880,007 under 35 U.S.C. § 102 is respectfully traversed. As discussed in applicants' response to the prior Official Action, the Gardos et al. '007 patent does not relate to proxy registration of a domain name. Each of claims 1 - 34, 44 - 47 and 52 - 70 relates to proxy domain name registration. The Gardos et al. '007 patent relates to a domain management system to be hosted by a registrar to allow its customers, i.e. registrants, to monitor and modify records relating to that registrant's domain name or names. See col. 4, lines 59 to 67. There is no mention of an entity (a proxy) standing in as registrant for a party that is the ultimate user of a domain name. That is what is described and claimed in the present application.

The outstanding rejection of claims 1 - 34, 44 - 47 and 52 - 70 over the Gardos et al. '007 patent differs from the previous rejection over that patent only in identifying the "webserver 150" and its program 160 as a "proxy," whereas previously the "root server" 9 had been identified as the proxy of the rejected claims. The revision of the rejection applied to these claims does not, however, overcome the fundamental error in the application of the Gardos et al. '007 patent to these rejected claims. Each of the rejected claims 1 - 34, 44 - 47 and 52 - 70 relates to domain name registration by proxy and nothing in the Gardos et al. patent teaches or suggests that.

Identification of the webserver 150 and its "domain manager" program 160 as a proxy "for receiving and storing personal contact information communicated to the proxy by the registrar, and communicating proxy personal contact information to the registrar," as stated in the outstanding Official Action is incorrect. The "webserver" 150 and its "domain manager" 160 of the Gardos et al. '007 patent is a part of the registrar that does not serve as a proxy in any sense.

Shown in Fig. 3 of the Gardos et al. '007 patent, the registrar is the collection of blocks 150, 151, 152, 153, 154, 170 and 182 that are enclosed in broken lines.

Note that claim 1's "proxy domain name registration system" includes a registrar that is responsive to the communication of personal contact information to "submit a registration request and the proxy personal contact information to a registry." However, neither 150 and 160 of Gardos et al. '007, which the Official Action identified as the "proxy," nor any other part of the Gardos et al. registrar responds to personal contact information by submitting proxy contact information to a registry.

Columns 10 - 12, the portions of the Gardos et al. '007 patent referred to as supporting the webserver 150 and domain manager 160 as being a proxy, have been reviewed carefully. They never refer to registration of a proxy or communication of proxy contact information. These three columns, it is respectfully urge, do not support the rejection. Note too that the graphical user interface screens of Figs. 4 - 6 do not provide the option of proxy registration.

Claims 2 - 6 are dependent from claim 1 and patentable over Gardos et al. '007 on the same basis as claim 1.

As to the "proxy domain name registration system" of independent claim 7, while the Gardos et al. '007 patent does includes a registrar, the Gardos et al. disclosure does not have a registry-connected communication connection at the registrar computer installation for sending to a domain name registry a request for registration of the domain name in the name of the proxy and at least a portion of the proxy information.

Claims 8 - 11 are dependent from claim 7 and allowable with claim 7 by virtue of their dependency.

Independent claim 12 relates to the method of domain name registration that includes "offering customers a choice of proxy registration of the domain names," unlike Gardos et al. '007, and "receiving proxy registration requests in response," again unlike Gardos et al. '007.

Dependent claims 13 - 18 incorporate the terms of claim 12 by their dependency and patentably differ from the '007 Gardos et al. patent as well.

Independent claim 19 relates to a "method of providing proxy registration of a domain name." Again the Gardos et al. '007 patent does not. Claim 17 calls for "receiving from the registrar contact information of a customer ... seeking proxy registration," and "sending to the

registrar proxy contact information." The items 150 and 160 of Gardos et al. '007 do not do anything like this.

Claims 20 - 25 depend from claim 19 and are patentable over the Gardos et al. '007 patent in the same manner as claim 19 by virtue of their dependency.

Independent claim 26 relates to a "domain name by proxy computer program." The Gardos et al. '007 patent does not disclose such a program. The program of claim 26 includes a "website defining program" that offers "to the customer ... a registration by proxy option." This differs significantly from the provisions of the Gardos et al. '007 patent. Again the examiner's attention is directed to the interactive user interface screen of Figs. 4 - 6 which provide no such option. This claim should be allowed along with claims 27 - 34, patentable by their dependency from claim 26.

Similarly claim 44 relates to programming unlike the relied-upon Gardos et al. '007 patent. Claim 44 calls for "communications programming enabling a computer to receive ... a request for domain name registrant information and customer information for a customer that has requested proxy domain name registration." The server 150 and program 160 of Gardos et al. do not do this.

Claims 45 - 47 are dependent from claim 44 and are allowable by their dependency.

Claim 52 calls for a "method for performing a proxy registration of a domain name" that includes the step of "receiving a domain name, a proxy registration request and personal customer information from a customer." The Gardos et al. '007 patent does not refer to performing a proxy registration and does not teach receiving "a domain name proxy request and personal contact information." The claim further calls for "storing the personal customer information, wherein the personal customer information is not made public." There is in Gardos et al. '007 no such teaching. Finally claim 52 includes the step of registering the domain name with a registry using proxy information, wherein the domain name and the proxy information are made publicly available. Once more there occurs no such step in the Gardos et al. '007 patent. The Gardos et al. '007 patent, then, teaches none of the steps of claim 52 and that claim is clearly patentable over the Gardos et al. patent.

Of course, dependent claims 53 - 59 are patentable with independent claim 52 by their dependency.

Independent claim 60 is directed to a "proxy domain name registration system" that has "means for communicating a registration request, the desired domain name and an owner proxy contact information differing from the customer's actual personal contact information." Again this is unlike the Gardos et al. '007 system which does not teach proxy registration or communicating proxy contact information in the process of registering a domain name. This claim 60 and claims 61 to 68 dependent therefrom should now be allowed.

Claim 69 is similar to claim 60 to the extent that it is directed to a "proxy domain name registration system" and has "a registry connected communication connection at the computer installation for sending a domain name registry a request for registration of the domain name in the name of the proxy registrant and at least a portion of the proxy registrant information." Because the Gardos et al. '007 patent does not relate to such a system or have the communication connection as claimed, claim 69 should now be allowed.

Claim 70 is dependent from claim 69. It should also be allowed at this time by virtue of its dependency.

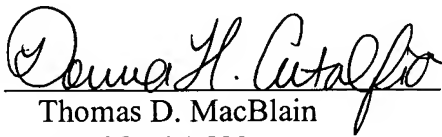
Claims 71 - 95 presented in the last amendment were not rejected in the outstanding Official Action and so are taken to be allowable. Moreover these are all dependent claims allowable by their incorporation of the content of the independent claims as discussed above.

In view of the above, it is respectfully urged that this application is now in condition for allowance. Favorable consideration to that end is respectfully requested.

Respectfully submitted,

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